

AMENDMENT UNDER 37 C.F.R § 1.111
U.S. Appln. No.: 09/715,009
Attorney Docket No.: Q61858

REMARKS

Claims 6-9, 11-14, 21-25, 27, and 31-37 are all the claims pending in the application.

Claims 36 and 37 have been newly added.

Allowable Subject Matter

Applicant notes with appreciation that claims 9 and 25 are allowed.

Claim Rejections - 35 U.S.C. §102

- Claims 6, 7, 11-14, 22, 23, 27 and 31-35 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nagashima et al. (U.S. Patent No. 5,963,521). Applicant respectfully traverses the rejection in view of the following arguments.

Claims 6, 7, 22, 23 and 31-35

Claim 6 sets forth a second information record medium in which random access is possible. This could be, for example, a hard disk (HD) as recited in a non-limiting embodiment discussed in the specification of the subject application. Since random access of the second information record medium is possible, one set of information may be reproduced from the second information record medium at the same time that another set of information is being recorded to the second information record medium.

Nagashima fails to teach or suggest a second information record medium in which random access is possible. The Examiner cites the magneto-optical disc (2) of Nagashima as a second recording medium. However, there is no indication that random access is possible with

the magneto-optical disc. In Nagashima, the magneto-optical disc cannot reproduce one set of information while having a different set of information being recorded to it.

With reference to a non-limiting embodiment of the specification of the subject application, the second information record medium (HD) can have one music signal being recorded to it at the same time that it is reproducing another music signal. (Specification at page 9, lines 13-17 and page 18, lines 21-25) Additionally, a non-limiting embodiment in accordance with claim 6 could allow map information to be reproduced at the same time that music information is being recorded. (Specification at page 8, lines 20-22 and Fig. 2 at Step 5 to Step 9) Claim 6 recites a second record medium in which random access is possible, therefore allowing embodiments in which one set of information can be recorded to the record medium as a different set of information is being produced. Since Nagashima does not teach this claimed feature, it is deficient with regards to claim 6.

Claims 22 and 31-35 all recite a second information record medium in which random access is possible, and therefore are allowable at least for reasons similar to those discussed above with regards to claim 6.

Claim 7 depends from claim 6 and claim 23 depends from claim 22. These claims are therefore allowable at least because of their dependency.

Claims 11 and 27

Claims 11 and 27 set forth that the second reproducing device reproduces the map information during the time that the recording device is recording the reproduced audio information. In this manner, the map information can be reproduced while the audio information

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is being recorded. With respect to a non-limiting embodiment discussed in the specification, this could allow navigation even when audio information is being recorded. (Specification at page 8, lines 20-22)

Nagashima does not teach recording audio information to a second recording medium at the same time as map information is reproduced from the second recording medium. The Examiner asserts that the subcode information taught by Nagashima constitutes map information. Even if this assertion were accepted, the subcode information cannot be reproduced by the disc (2) of Nagashima at the same time that audio information is being written to it. Therefore, claims 11 and 27 are allowable over Nagashima.

Claims 12-14

Claim 12 sets forth that audio information is both reproduced from and recorded to the second information record medium at the same time. Nagashima does not teach audio information being reproduced and recorded on the same record medium at the same time. The Examiner asserts that Nagashima teaches that the audio information is reproduced and recorded at the same time. However, the Examiner does not assert that the audio information is reproduced and recorded using the same record media, as recited by claim 12.

Claims 13 and 14 depend from claim 12 and are therefore allowable at least because of their dependency.

- Claim 21 stands rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Belknap et al. (U.S. Patent No. 5,586,264). Applicant respectfully traverses the rejection in view of the following arguments.

Claim 21 sets forth that audio information is both reproduced from and recorded to the second information record medium at the same time. Therefore, with respect to this feature, claim 21 is similar to claim 12 as discussed above. The Examiner asserts that Belknap teaches a VHS tape as a first record medium and a DVI tape or DVD disc as a second information record medium. The Examiner also asserts that Fig. 12 shows the first record medium and reproducing audio information in parallel to a second record medium. First, Belknap teaches VHS tapes and DVI tapes or DVD discs as one type of storage along with VHS tapes. In Fig. 12, the alleged record mediums of Belknap would both be used in the storage nodes (160, 180), and any audio information would flow as indicated by the arrows, not between the alleged record mediums. Additionally, to the extent that audio information would be reproduced and recorded, Belknap, like Nagashima, doesn't teach that audio information is both reproduced from and recorded to the second information record medium at the same time. Therefore, Belknap is deficient regarding claim 21 at least for reasons similar to those for which Nagashima is deficient with regards to claim 12.

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Claim Rejections - 35 U.S.C §103

- Claims 8 and 24 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Nagashima in view of Hetzler (U.S. Patent No. 5,682,273). Applicant respectfully traverses the rejection in view of the following arguments.

Claim 8 depends from claim 6 and claim 24 depends from claim 22. Hetzler is cited only for the feature of a sub electric power supplying device. Even if the Examiner's assertions about Hetzler were correct, Hetzler does not correct the above-noted deficiencies of Nagashima with respect to claims 6 and 22. Since the combined teachings of Nagashima and Hetzler fail to teach or suggest claims 6 and 22, the combined teachings certainly fail to teach or suggest claims 8 and 24. Therefore, claims 8 and 24 are allowable over the cited combination of references.

New Claims

New claims 36 and 37 have been added to more fully claim the invention. New claim 36 depends from allowed claim 9 and new claim 37 depends from allowed claim 25. Therefore, new claims 36 and 37 are allowable at least because of their dependency.

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

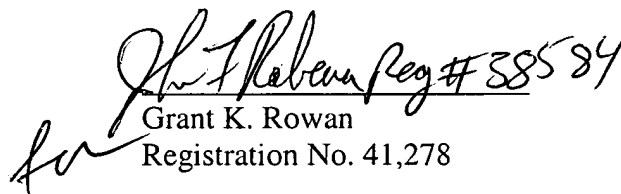
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